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CLERK U.S. DISTRICT COURT
CENTRAL DIST. OF CALIF.
LOS ANGELES

BY: _____

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2 THE LANIER LAW FIRM
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8 Attorneys for Plaintiff
9 MYSTIQUE, INC.

10 UNITED STATES DISTRICT COURT
11 CENTRAL DISTRICT OF CALIFORNIA

12 MYSTIQUE, INC.
13 a California corporation,

14 Plaintiff,

15 vs.

17 IVANKA TRUMP MARKS, LLC, a
18 Delaware limited liability company;
19 IVANKA TRUMP MARKS II, LLC, a
20 Delaware limited liability company;
21 FISHER FOOTWEAR LLC, a
22 Delaware limited liability company;
23 MARC FISHER LLC, a Delaware
24 limited liability company; MARC
25 FISHER RETAIL LLC, a Delaware
26 limited liability company; and DOES 1-
27 10, inclusive,

28 Defendants.

Case No. **CV12-10217-RGK(RZ)**

COMPLAINT FOR:

- (1) COPYRIGHT INFRINGEMENT;
- (2) VICARIOUS AND/OR CONTRIBUTORY COPYRIGHT INFRINGEMENT;
- (3) ACCOUNTING;
- (4) VIOLATION OF CALIFORNIA BUSINESS AND PROFESSIONS CODE SECTION 17200

DEMAND FOR JURY TRIAL

1 **COMPLAINT**

2 Plaintiff MYSTIQUE, INC. alleges as follows:

3
4 **THE PARTIES**

5 1. Plaintiff MYSTIQUE, INC. ("Plaintiff") is a California corporation
6 with its principal place of business in Los Angeles, California. Plaintiff designs,
7 manufactures, markets and distributes high-end women's sandals.

8 2. Upon information and belief, defendant IVANKA TRUMP MARKS,
9 LLC is a Delaware limited liability company with an unknown principal place of
10 business. Upon information and belief, such defendant is the licensor of the shoe
11 brand "Ivanka Trump", and manufactures, distributes, advertises, markets, and
12 sells such shoes throughout the United States and the world, including within this
13 judicial district.

14 3. Upon information and belief, defendant IVANKA TRUMP MARKS
15 II, LLC is a Delaware limited liability company with an unknown principal place
16 of business. Upon information and belief, such defendant is the licensor of the
17 shoe brand "Ivanka Trump", and manufactures, distributes, advertises, markets,
18 and sells such shoes throughout the United States and the world, including within
19 this judicial district.

20 4. Upon information and belief, defendant FISHER FOOTWEAR LLC
21 is a Delaware limited liability company with a principal place of business in
22 Greenwich, Connecticut. Upon information and belief, such defendant is the
23 licensee of the shoe brand "Ivanka Trump", and manufactures, distributes,
24 advertises, markets, and sells such shoes throughout the United States and the
25 world, including within this judicial district.

26 5. Upon information and belief, defendant MARC FISHER LLC is a
27 Delaware limited liability company with a principal place of business in
28 Greenwich, Connecticut. Upon information and belief, such defendant is the

1 licensee of the shoe brand “Ivanka Trump”, and manufactures, distributes,
2 advertises, markets, and sells such shoes throughout the United States and the
3 world, including within this judicial district.

4 6. Upon information and belief, defendant MARC FISHER RETAIL
5 LLC is a Delaware limited liability company with a principal place of business in
6 Greenwich, Connecticut. Upon information and belief, such defendant is the
7 licensee of the shoe brand “Ivanka Trump”, and manufactures, distributes,
8 advertises, markets, and sells such shoes throughout the United States and the
9 world, including within this judicial district.

10 7. Plaintiff does not know the true names and capacities of the
11 defendants sued as Does 1 through 10, inclusive, and therefore sues such
12 defendants by such fictitious names. Plaintiff is informed and believes, and
13 therefore alleges that each of the defendants sued as Does 1 through 10, is
14 responsible in some manner for the wrongful conduct alleged below, and that the
15 infringement and other wrongful acts alleged below were proximately caused by
16 such defendants’ acts. Plaintiff will amend this complaint to allege such
17 defendants’ true names and capacities when ascertained.

18 8. Upon information and belief, defendants and each of them were
19 agents of the others, and the infringement and other wrongful conduct alleged
20 herein was done within the scope of that agency, and was done with the consent,
21 knowledge and/or ratification of each of the other defendants.

22 23 **JURISDICTION AND VENUE**

24 9. The Court has original jurisdiction of this action under 28 U.S.C.
25 §§1331 and 1338 in that the claims herein arise under federal copyright laws (17
26 U.S.C. § 101 *et. seq.*) This Court has jurisdiction of the related state claims under
27 28 U.S.C. § 1367(a).
28

1 10. Venue is proper in this Court pursuant to 28 U.S.C. §1391(b) because
2 a substantial part of the events and omissions giving rise to the claims herein
3 occurred in this district, and all defendants are subject to personal jurisdiction in
4 this district.

5
6 **FIRST CLAIM FOR RELIEF**

7 **Copyright Infringement -- 17 U.S.C. § 101 *et seq.***

8 (Against All Defendants)

9 11. Plaintiff realleges and incorporates by this reference each and every
10 allegation set forth in paragraphs 1 through 10, inclusive.

11 12. Plaintiff designs, manufactures and sells high quality women's
12 sandals consisting of original and distinctive ornamental designs.

13 13. Among the many sandals designed, manufactured, and sold by
14 Plaintiff is the sandal entitled "By The Sea – Style 3323" (hereinafter "3323").
15 Attached hereto as Exhibit A is a true and correct photograph of Plaintiff's 3323.

16 14. The ornamental design affixed to Plaintiff's 3323 is an original
17 copyrightable ornament design created by Plaintiff. It is duly and properly
18 registered with the United States Copyright Office as Copyright Registration No.
19 VA 1-822-144. A copy of the Certificate of Registration is attached hereto as
20 Exhibit B.

21 15. Another sandal designed, manufactured, and sold by Plaintiff is the
22 sandal entitled "Starry Eyed – Style 4179" (hereinafter "4179"). Attached hereto
23 as Exhibit C is a true and correct photograph of Plaintiff's 4179.

24 16. The ornamental design affixed to Plaintiff's 4179 is also an original
25 copyrightable ornament design created by Plaintiff. It is duly and properly
26 registered with the United States Copyright Office as Copyright Registration No.
27 VA 1-822-145. A copy of the Certificate of Registration is attached hereto as
28 Exhibit D.

1 17. Since their creation, Plaintiff has been, and still is, the sole owner of
2 all right, title, and interest in and to 3323 and 4179, including the corresponding
3 copyrights and Certificates of Registration.

4 18. Plaintiff has recently learned that Defendants have engaged and are
5 continuing to engage in the manufacturing, advertising, marketing, distribution and
6 sale of shoes bearing reproductions, counterfeits, copies, and/or colorable
7 imitations of Plaintiff's 3323 and 4179 thereby infringing such copyrights.
8 Attached hereto as Exhibit E is a true and correct photograph of Defendants' "Pia"
9 sandal which is a substantially identical copy of Plaintiff's 3323. Attached hereto
10 as Exhibit F is a true and correct photograph of Defendants' "Pandra" sandal which
11 is a substantially identical copy of Plaintiff's 4179.

12 19. Defendants' infringing shoes are in competition with Plaintiff's sales
13 of its shoes, and the acts alleged herein have been without the permission, license
14 or consent of Plaintiff. Well prior to the manufacture, offer for sale, and sale by
15 Defendants of the infringing shoes, Plaintiff sold the 3323 and 4179 style shoes in
16 prominent retail and other sales outlets.

17 20. Defendants have committed and are continuing to commit acts of
18 copyright infringement against Plaintiff. Further, Defendants' acts are willful,
19 deliberate and committed with prior notice and knowledge of Plaintiff's
20 copyrights. At a minimum, Defendants were willfully blind and acted in reckless
21 disregard of Plaintiff's copyrights.

22 21. As a result of such activities, Defendants are liable to Plaintiff for
23 willful copyright infringement under 17 U.S.C. §501. Upon information and
24 belief, Plaintiff has suffered, and will continue to suffer, substantial damage to its
25 business reputation and goodwill, as well as losses in an amount not yet
26 ascertained, but which will be determined according to proof. In addition to
27 Plaintiffs actual damages, Plaintiff is entitled to receive defendants' profits from
28 their wrongful acts, pursuant to 17 U.S.C. §504. In the alternative, Plaintiff is

1 entitled to statutory damages pursuant to 17 U.S.C. §504(c), and such statutory
2 damages should be enhanced in accordance with 17 U.S.C. §504(c)(2) because of
3 defendants' willful copyright infringement.

4 22. Plaintiff has no adequate remedy at law for Defendants' wrongful
5 conduct in that (i) Plaintiff's copyrights are unique and valuable property which
6 have no readily determinable market value; (ii) the infringement by Defendants
7 constitutes an interference with Plaintiff's goodwill and customer relationships;
8 and (iii) Defendants' wrongful conduct, and the damages resulting to Plaintiff
9 therefrom, is continuing. Defendants' acts of copyright infringement have caused
10 Plaintiff irreparable injury, and defendants threaten to continue to commit these
11 acts. Accordingly, Plaintiff is entitled to injunctive relief pursuant to 17 U.S.C.
12 §502, and to an order under 17 U.S.C. §503 that any infringing shoes and/or
13 components be impounded and/or destroyed.

14 23. Plaintiff is also entitled to recover its attorneys' fees and costs of suit
15 pursuant to 17 U.S.C. §505.

16 17 **SECOND CLAIM FOR RELIEF**

18 **Vicarious and/or Contributory Copyright Infringement**

19 (Against All Defendants)

20 24. Plaintiff realleges and incorporates by this reference each and every
21 allegation set forth in paragraphs 1 through 23, inclusive.

22 25. Plaintiff is informed and believes and thereon alleges that Defendants
23 knowingly induced, participated in, aided and abetted in and profited from the
24 infringement alleged herein.

25 26. Plaintiff is informed and believes and thereon alleges that Defendants,
26 and each of them, are vicariously liable for the infringement alleged herein because
27 they had the right and ability to supervise the infringing conduct and because they
28 had a direct financial interest in the infringing conduct.

1 27. By reason of the Defendants', and each of their, acts of contributory
2 and vicarious infringement as alleged above, Plaintiff has suffered and will
3 continue to suffer substantial damages to its business in an amount to be
4 established at trial, as well as additional general and special damages in an amount
5 to be established at trial.

6 28. Due to Defendants' acts of copyright infringement as alleged herein,
7 Defendants, and each of them, have obtained direct and indirect profits they would
8 not otherwise have realized but for their infringement. As such, Plaintiff is entitled
9 to disgorgement of Defendants' profits directly and indirectly attributable to
10 Defendants' infringement in an amount to be established at trial.

11 29. Plaintiff is informed and believes and thereon alleges that the
12 infringement alleged herein was willful, reckless, and/or in blatant disregard for
13 Plaintiff's rights as a copyright holder, and as such, claims willful, exemplary and
14 enhanced statutory damages.

15
16 **THIRD CLAIM FOR RELIEF**

17 **Accounting**

18 (Against All Defendants)

19 30. Plaintiff realleges and incorporates by this reference each and every
20 allegation set forth in paragraphs 1 through 29, inclusive.

21 31. Plaintiff is entitled, pursuant to 17 U.S.C. §504, to recover any and all
22 profits of the Defendants that are attributable to their acts of infringement.

23 32. Plaintiff is entitled, pursuant to 17 U.S.C. §504, to actual damages or
24 statutory damages sustained by virtue of the Defendants' acts of infringement.

25 33. The amount of money due from Defendants to Plaintiff is unknown to
26 Plaintiff and cannot be ascertained without a detailed accounting by Defendants of
27 the precise number of units of infringing material offered for distribution and
28 distributed by Defendants.

1 **FOURTH CLAIM FOR RELIEF**

2 **Violation of Cal. Bus. & Prof. Code § 17200 *et. seq.***

3 (Against All Defendants)

4 34. Plaintiff realleges and incorporates by this reference each and every
5 allegation set forth in paragraphs 1 through 33, inclusive.

6 35. Defendants' acts as alleged herein constitute unlawful, unfair or
7 fraudulent business acts or practices, and unfair, deceptive, untrue or misleading
8 advertising, under California Business and Professions Code § 17200 *et seq.*

9 36. Plaintiff is informed and believes, and on that basis alleges, that
10 Defendants have profited and are profiting from such unfair competition and that
11 Plaintiff has suffered injury in fact and damages by such unfair competition.
12 Plaintiff therefore is entitled to disgorgement, restitution or other recovery of
13 damages from Defendants in an amount to be proven at trial.

14 37. Plaintiff is informed and believes, and on that basis alleges, that
15 Defendants acted with oppression, fraud or malice in committing unfair
16 competition, so as to justify an award of punitive damages.

17
18 **PRAYER FOR RELIEF**

19 THEREFORE, Plaintiff requests judgment against Defendants as follows:

20 A. Defendants and their officers, agents, servants, employees, and
21 attorneys and all those in active concert and participation with them, be
22 preliminarily and permanently enjoined from:

23 (i) manufacturing, reproducing, displaying, publishing, vending,
24 distributing, selling, promoting, importing, exporting, and/or advertising, assisting,
25 inducing, or contributing to the manufacturing, reproducing, displaying,
26 publishing, vending, distributing, selling, promoting, and/or advertising any
27 product that contains substantial material copied from and substantially similar to
28 3323 and 4179;

1 (ii) otherwise infringing the copyrights in the 3323 and 4179
2 ornamental designs, including but not limited to the copyright represented by
3 Copyright Registration Nos. VA 1-822-144 and VA 1-822-145;

4 (iii) otherwise infringing any other copyrighted ornamental designs
5 held by Plaintiff;

6 B. During the pendency of this lawsuit, Defendants be required to deliver
7 to Plaintiff for storage or destruction all shoes which include copies of the 3323
8 and 4179 ornamental designs;


9 C. Defendants be required to pay to Plaintiff statutory damages or such
10 actual damages as Plaintiff sustained in consequence of the infringements by
11 Defendant of the 3323 and 4179 ornamental designs and to account for and pay to
12 Plaintiff all gains, profits and advantages which are attributable to the
13 infringement, with full costs and reasonable attorneys' fees to be allowed to
14 Plaintiff as provided in 17 U.S.C. §§ 504 and 505, and in the event statutory
15 damages are awarded, that the award be increased due to the willful nature of the
16 infringement;

17 D. Restitution and disgorgement of all revenue that Defendants have
18 obtained through the manufacture, distribution, marketing, and sale of the
19 infringing shoes; and

20 E. Such other and further relief as the Court may deem just and proper.

21
22 Dated: November 29, 2012

THE LANIER LAW FIRM

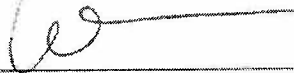
23
24
25 
26 Lee A. Cirsch
27 Attorneys for Plaintiff
28 MYSTIQUE, INC.

///////

JURY DEMAND

Plaintiff MYSTIQUE, INC. hereby demands a trial by jury.

THE LANIER LAW FIRM



Lee A. Cirsch
Attorneys for Plaintiff
MYSTIQUE, INC.

EXHIBIT A

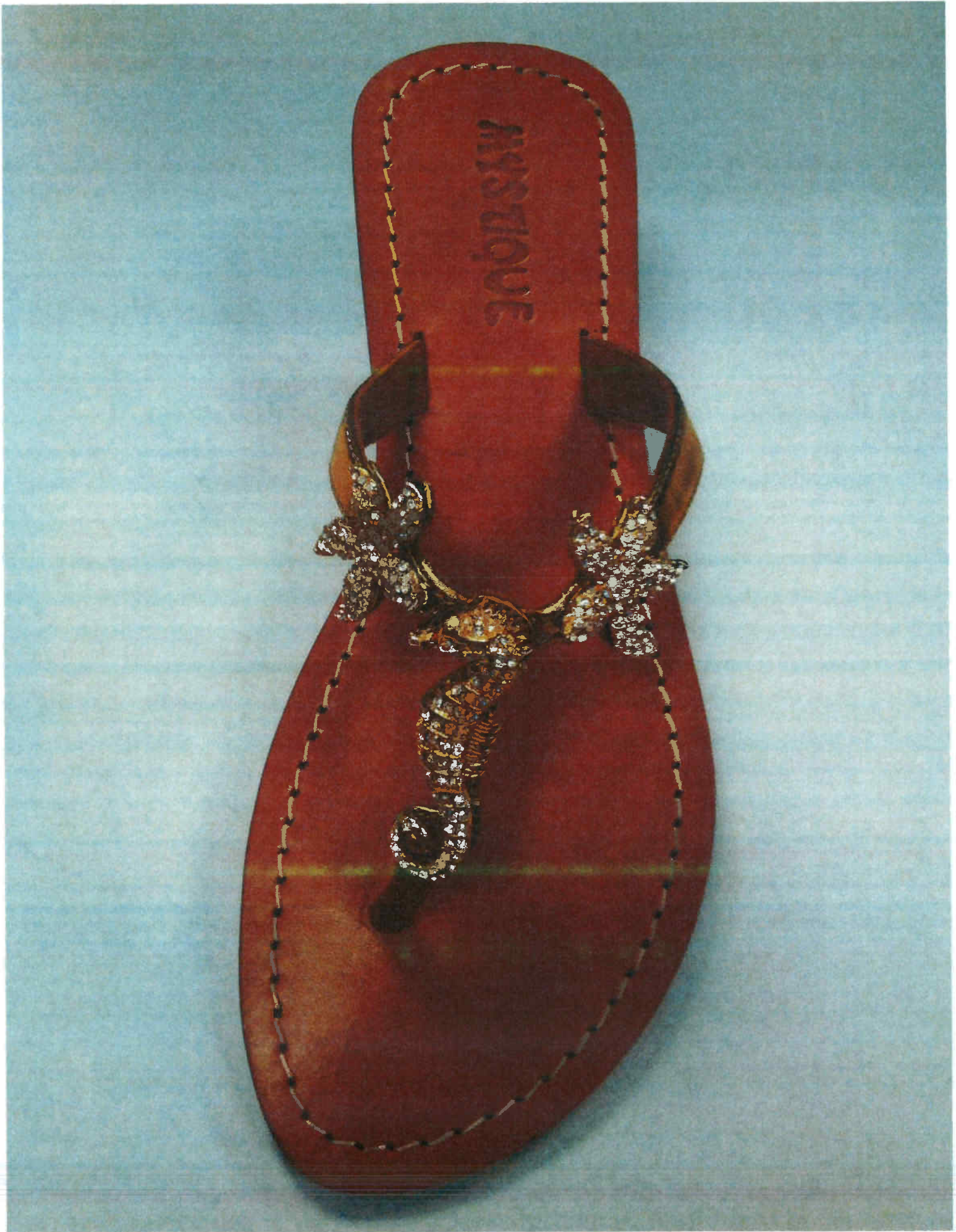


EXHIBIT B

Certificate of Registration



This Certificate issued under the seal of the Copyright Office in accordance with title 17, *United States Code*, attests that registration has been made for the work identified below. The information on this certificate has been made a part of the Copyright Office records.

María A. Pallante

Register of Copyrights, United States of America

Registration Number
VA 1-822-144

Effective date of
registration:
June 20, 2012

Title

Title of Work: Mystique - Style 3323

Completion/Publication

Year of Completion: 2008

Date of 1st Publication: May 15, 2008

Nation of 1st Publication: United States

Author

Author: Mysique, Inc.

Author Created: sculpture

Work made for hire: Yes

Citizen of: United States

Domiciled in: United States

Copyright claimant

Copyright Claimant: Mystique, Inc.

2601 S. Santa Fe Ave., Suite #7, Vernon, CA, 90058, United States

Rights and Permissions

Organization Name: Law Office of Darin Margules

Name: Darin Margules

Email: darin@marguleslawfirm.com

Telephone: 818-344-5900

Address: 17835 Ventura Blvd.

Suite 104

Encino, CA 91316 United States

Certification

Name: Darin Margules

Date: June 20, 2012

EXHIBIT C



EXHIBIT D

Certificate of Registration



This Certificate issued under the seal of the Copyright Office in accordance with title 17, *United States Code*, attests that registration has been made for the work identified below. The information on this certificate has been made a part of the Copyright Office records.

Maria A. Pallante

Register of Copyrights, United States of America

Registration Number
VA 1-822-145

Effective date of
registration:

June 20, 2012

Title

Title of Work: *Mystique - Style 4179*

Completion/Publication

Year of Completion: 2010

Date of 1st Publication: August 15, 2010

Nation of 1st Publication: United States

Author

* Author: *Mystique, Inc.*

Author Created: *sculpture*

Work made for hire: Yes

Citizen of: United States

Domiciled in: United States

Copyright claimant

Copyright Claimant: *Mystique, Inc.*

2601 S. Santa Fe Ave., Suite 7, Vernon, CA, 90058, United States

Rights and Permissions

Organization Name: *Law Office of Darin Margules*

Name: *Darin Margules*

Email: *darin@marguleslawfirm.com*

Telephone: 818-344-5900

Address: *17835 Ventura Blvd.*

Suite 104

Encino, CA 91316 United States

Certification

Name: *Darin Margules*

Date: *June 20, 2012*

EXHIBIT E

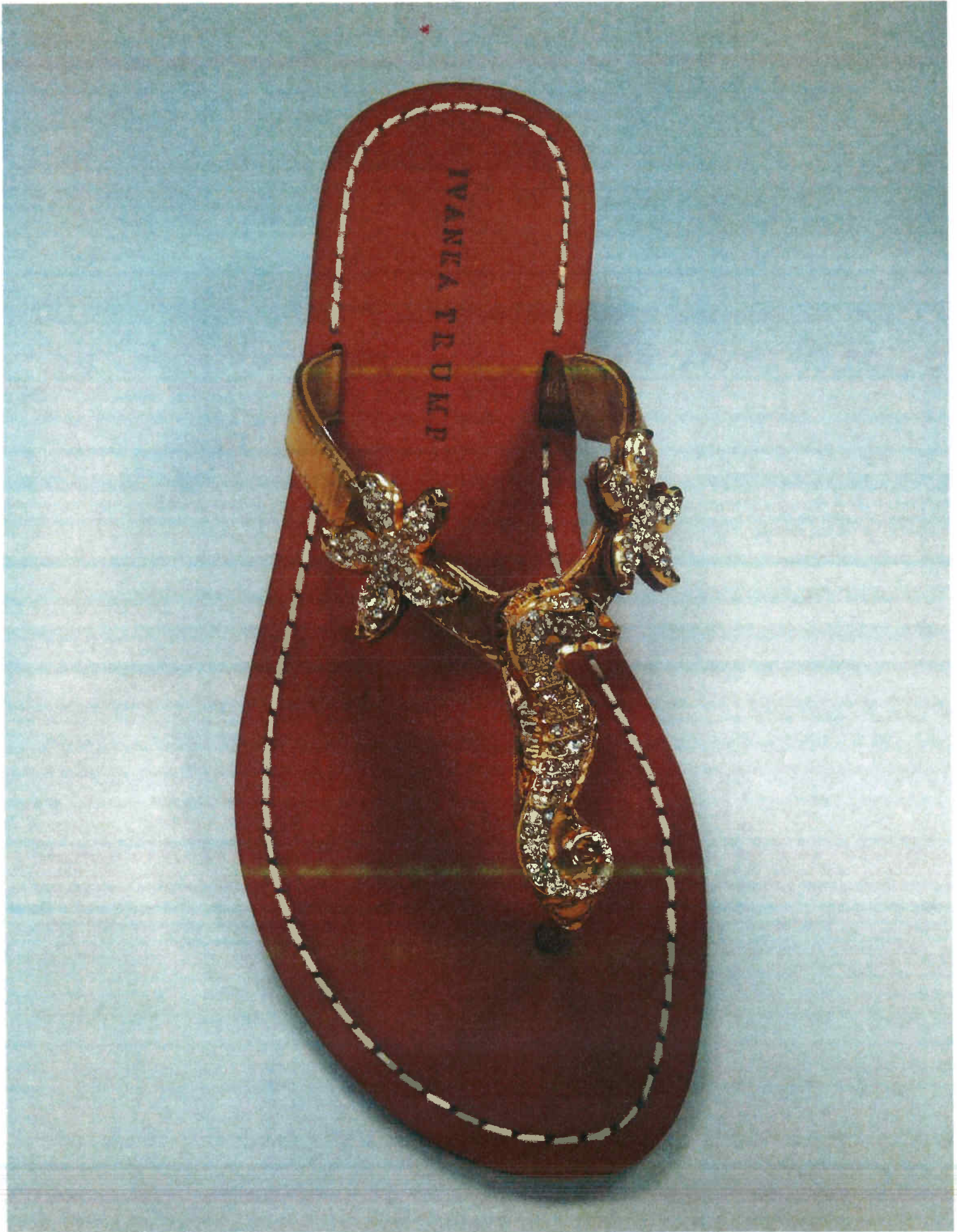


EXHIBIT F



COPY

Name & Address:

Lee A. Cirsch (SBN 227668)
 THE LANIER LAW FIRM
 2049 Century Park East, Ste. 1940
 Los Angeles, CA 90034

UNITED STATES DISTRICT COURT
 CENTRAL DISTRICT OF CALIFORNIA

MYSTIQUE, INC., a California Corporation

CASE NUMBER

PLAINTIFF(S)

CV12-10217RGK(RZ)

v.

Wanka Trump Marks, LLC.
 see attached

DEFENDANT(S).

SUMMONS

TO: DEFENDANT(S):

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it), you must serve on the plaintiff an answer to the attached ☒ complaint ☐ amended complaint ☐ counterclaim ☐ cross-claim or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff's attorney, Lee A. Cirsch, whose address is The Lanier Law Firm 2049 Century Park East, Ste. 1940 L.A. CA 90034. If you fail to do so, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

NOV 29 2012

Dated: _____

Clerk, U.S. District Court

By: JULIE PRADO

Deputy Clerk

(Seal of the Court)

[Use 60 days if the defendant is the United States or a United States agency, or is an officer or employee of the United States. Allowed 60 days by Rule 12(a)(3)].

COUNTER-DEFENDANTS

IVANKA TRUMP MARKS, LLC, a Delaware limited liability company; IVANKA TRUMP MARKS II, LLC, a Delaware limited liability company; FISHER FOOTWEAR LLC, a Delaware limited liability company; Marc Fisher LLC, a Delaware limited liability; Marc Fischer RETAIL LLC, a Delaware limited liability company; and DOES 1-10 inclusive.

COPY

UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA
CIVIL COVER SHEET

I (a) PLAINTIFFS (Check box if you are representing yourself <input type="checkbox"/> Mystique, Inc.	DEFENDANTS
(b) Attorneys (Firm Name, Address and Telephone Number. If you are representing yourself, provide same.) Lee A. Cirsch (SBN 227668) Lanier Law Firm 2049 Century Park E., Ste. 1940, Los Angeles, CA 90067	Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an X in one box only.)		III. CITIZENSHIP OF PRINCIPAL PARTIES - For Diversity Cases Only (Place an X in one box for plaintiff and one for defendant.)			
<input type="checkbox"/> 1 U.S. Government Plaintiff	<input checked="" type="checkbox"/> 3 Federal Question (U.S. Government Not a Party)	Citizen of This State	PTF <input type="checkbox"/> 1 DEF <input type="checkbox"/> 1	Incorporated or Principal Place of Business in this State	PTF <input type="checkbox"/> 4 DEF <input type="checkbox"/> 4
<input type="checkbox"/> 2 U.S. Government Defendant	<input type="checkbox"/> 4 Diversity (Indicate Citizenship of Parties in Item III)	Citizen of Another State	<input type="checkbox"/> 2 <input type="checkbox"/> 2	Incorporated and Principal Place of Business in Another State	<input type="checkbox"/> 5 <input type="checkbox"/> 5
		Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3 <input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6 <input type="checkbox"/> 6

IV. ORIGIN (Place an X in one box only.)

☒ 1 Original Proceeding ☐ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from another district (specify): ☐ 6 Multi-District Litigation ☐ 7 Appeal to District Judge from Magistrate Judge

V. REQUESTED IN COMPLAINT: JURY DEMAND: ☒ Yes ☐ No (Check 'Yes' only if demanded in complaint.)CLASS ACTION under F.R.C.P. 23: ☐ Yes ☒ No

MONEY DEMANDED IN COMPLAINT: \$

VI. CAUSE OF ACTION (Cite the U.S. Civil Statute under which you are filing and write a brief statement of cause. Do not cite jurisdictional statutes unless diversity.)

Violation of California Business and Professions Code Section 17200

VII. NATURE OF SUIT (Place an X in one box only.)

OTHER STATUTES	CONTRACT	TORTS	TORTS	PRISONER PETITIONS	LABOR
<input type="checkbox"/> 400 State Reapportionment	<input type="checkbox"/> 110 Insurance	PERSONAL INJURY	PERSONAL PROPERTY	<input type="checkbox"/> 510 Motions to Vacate Sentence	<input type="checkbox"/> 710 Fair Labor Standards Act
<input type="checkbox"/> 410 Antitrust	<input type="checkbox"/> 120 Marine	<input type="checkbox"/> 310 Airplane	<input type="checkbox"/> 370 Other Fraud	<input type="checkbox"/> 530 General	<input type="checkbox"/> 720 Labor/Mgmt. Relations
<input type="checkbox"/> 430 Banks and Banking	<input type="checkbox"/> 130 Miller Act	<input type="checkbox"/> 315 Airplane Product Liability	<input type="checkbox"/> 371 Truth in Lending	<input type="checkbox"/> 535 Death Penalty	<input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act
<input type="checkbox"/> 450 Commerce/ICC Rates/etc.	<input type="checkbox"/> 140 Negotiable Instrument	<input type="checkbox"/> 320 Assault, Libel & Slander	<input type="checkbox"/> 380 Other Personal Property Damage	<input type="checkbox"/> 540 Mandamus/Other	<input type="checkbox"/> 740 Railway Labor Act
<input type="checkbox"/> 460 Deportation	<input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment	<input type="checkbox"/> 330 Fed. Employers' Liability	<input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 550 Civil Rights	<input type="checkbox"/> 790 Other Labor Litigation
<input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations	<input type="checkbox"/> 151 Medicare Act	<input type="checkbox"/> 340 Marine	BANKRUPTCY	<input type="checkbox"/> 555 Prison Condition	<input type="checkbox"/> 791 Empl. Ret. Inc. Security Act
<input type="checkbox"/> 480 Consumer Credit	<input type="checkbox"/> 152 Recovery of Defaulted Student Loan (Excl. Veterans)	<input type="checkbox"/> 345 Marine Product Liability	<input type="checkbox"/> 422 Appeal 28 USC 158	FORFEITURE / PENALTY	<input checked="" type="checkbox"/> 820 Copyrights
<input type="checkbox"/> 490 Cable/Sat TV	<input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits	<input type="checkbox"/> 350 Motor Vehicle	<input type="checkbox"/> 423 Withdrawal 28 USC 157	<input type="checkbox"/> 610 Agriculture	<input type="checkbox"/> 830 Patent
<input type="checkbox"/> 810 Selective Service	<input type="checkbox"/> 160 Stockholders' Suits	<input type="checkbox"/> 355 Motor Vehicle Product Liability	CIVIL RIGHTS	<input type="checkbox"/> 620 Other Food & Drug	<input type="checkbox"/> 840 Trademark
<input type="checkbox"/> 850 Securities/Commodities/Exchange	<input type="checkbox"/> 190 Other Contract	<input type="checkbox"/> 360 Other Personal Injury	<input type="checkbox"/> 441 Voting	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881	SOCIAL SECURITY
<input type="checkbox"/> 875 Customer Challenge 12 USC 3410	<input type="checkbox"/> 195 Contract Product Liability	<input type="checkbox"/> 362 Personal Injury-Med Malpractice	<input type="checkbox"/> 442 Employment	<input type="checkbox"/> 630 Liquor Laws	<input type="checkbox"/> 861 HIA (1395ff)
<input type="checkbox"/> 890 Other Statutory Actions	<input type="checkbox"/> 196 Franchise	<input type="checkbox"/> 365 Personal Injury-Product Liability	<input type="checkbox"/> 443 Housing/Accommodations	<input type="checkbox"/> 640 R.R. & Truck	<input type="checkbox"/> 862 Black Lung (923)
<input type="checkbox"/> 891 Agricultural Act	REAL PROPERTY	<input type="checkbox"/> 368 Asbestos Personal Injury Product Liability	<input type="checkbox"/> 444 Welfare	<input type="checkbox"/> 650 Airline Regs	<input type="checkbox"/> 863 DIWC/DIWW (405(g))
<input type="checkbox"/> 892 Economic Stabilization Act	<input type="checkbox"/> 210 Land Condemnation	IMMIGRATION	<input type="checkbox"/> 445 American with Disabilities - Employment	<input type="checkbox"/> 660 Occupational Safety/Health	<input type="checkbox"/> 864 SSID Title XVI
<input type="checkbox"/> 893 Environmental Matters	<input type="checkbox"/> 220 Foreclosure	<input type="checkbox"/> 462 Naturalization Application	<input type="checkbox"/> 446 American with Disabilities - Other	<input type="checkbox"/> 690 Other	<input type="checkbox"/> 865 RSI (405(g))
<input type="checkbox"/> 894 Energy Allocation Act	<input type="checkbox"/> 230 Rent Lease & Ejectment	<input type="checkbox"/> 463 Habeas Corpus-Alien Detainee	<input type="checkbox"/> 440 Other Civil Rights		FEDERAL TAX SUITS
<input type="checkbox"/> 895 Freedom of Info. Act	<input type="checkbox"/> 240 Torts to Land	<input type="checkbox"/> 465 Other Immigration Actions			<input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant)
<input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice	<input type="checkbox"/> 245 Tort Product Liability				<input type="checkbox"/> 871 IRS-Third Party 26 USC 7609
<input type="checkbox"/> 950 Constitutionality of State Statutes	<input type="checkbox"/> 290 All Other Real Property				

CV12-10217

FOR OFFICE USE ONLY: Case Number:

AFTER COMPLETING THE FRONT SIDE OF FORM CV-71, COMPLETE THE INFORMATION REQUESTED BELOW.

**UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA
CIVIL COVER SHEET**

VIII(a). IDENTICAL CASES: Has this action been previously filed in this court and dismissed, remanded or closed? ☒ No ☐ Yes
If yes, list case number(s): _____

VIII(b). RELATED CASES: Have any cases been previously filed in this court that are related to the present case? ☒ No ☐ Yes
If yes, list case number(s): _____

Civil cases are deemed related if a previously filed case and the present case:

- (Check all boxes that apply) ☐ A. Arise from the same or closely related transactions, happenings, or events; or
☐ B. Call for determination of the same or substantially related or similar questions of law and fact; or
☐ C. For other reasons would entail substantial duplication of labor if heard by different judges; or
☐ D. Involve the same patent, trademark or copyright, and one of the factors identified above in a, b or c also is present.

IX. VENUE: (When completing the following information, use an additional sheet if necessary.)

(a) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which **EACH** named plaintiff resides
☐ Check here if the government, its agencies or employees is a named plaintiff. If this box is checked, go to item (b).

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
Plaintiff Mystique, Inc. principal place of business is in County of Los Angeles	

(b) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which **EACH** named defendant resides.
☐ Check here if the government, its agencies or employees is a named defendant. If this box is checked, go to item (c).

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
	Ivanka Trump Marks, LLC, Ivanka Trump Marks II, LLC, Fisher Footwear LLC Marc Fisher LLC and Fisher Retail LLC are all incorporated in Delaware.

(c) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which **EACH** claim arose.
Note: In land condemnation cases, use the location of the tract of land involved.

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
County of Los Angeles	

* Los Angeles, Orange, San Bernardino, Riverside, Ventura, Santa Barbara, or San Luis Obispo Counties
Note: In land condemnation cases, use the location of the tract of land involved.

X. SIGNATURE OF ATTORNEY (OR PRO PER): _____ Date 11/29/2012

Notice to Counsel/Parties: The CV-71 (JS-44) Civil Cover Sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law. This form, approved by the Judicial Conference of the United States in September 1974, is required pursuant to Local Rule 3-1 is not filed but is used by the Clerk of the Court for the purpose of statistics, venue and initiating the civil docket sheet. (For more detailed instructions, see separate instructions sheet.)

Key to Statistical codes relating to Social Security Cases:

Nature of Suit Code	Abbreviation	Substantive Statement of Cause of Action
861	HIA	All claims for health insurance benefits (Medicare) under Title 18, Part A, of the Social Security Act, as amended. Also, include claims by hospitals, skilled nursing facilities, etc., for certification as providers of services under the program. (42 U.S.C. 1935FF(b))
862	BL	All claims for "Black Lung" benefits under Title 4, Part B, of the Federal Coal Mine Health and Safety Act of 1969. (30 U.S.C. 923)
863	DIWC	All claims filed by insured workers for disability insurance benefits under Title 2 of the Social Security Act, as amended; plus all claims filed for child's insurance benefits based on disability. (42 U.S.C. 405(g))
863	DIWW	All claims filed for widows or widowers insurance benefits based on disability under Title 2 of the Social Security Act, as amended. (42 U.S.C. 405(g))
864	SSID	All claims for supplemental security income payments based upon disability filed under Title 16 of the Social Security Act, as amended.
865	RSI	All claims for retirement (old age) and survivors benefits under Title 2 of the Social Security Act, as amended. (42 U.S.C. (g))

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

NOTICE OF ASSIGNMENT TO UNITED STATES MAGISTRATE JUDGE FOR DISCOVERY

This case has been assigned to District Judge R. Gary Klausner and the assigned discovery Magistrate Judge is Ralph Zarefsky.

The case number on all documents filed with the Court should read as follows:

CV12- 10217 RGK (RZx)

Pursuant to General Order 05-07 of the United States District Court for the Central District of California, the Magistrate Judge has been designated to hear discovery related motions.

All discovery related motions should be noticed on the calendar of the Magistrate Judge

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NOTICE TO COUNSEL

A copy of this notice must be served with the summons and complaint on all defendants (if a removal action is filed, a copy of this notice must be served on all plaintiffs).

Subsequent documents must be filed at the following location:

☒ **Western Division**
312 N. Spring St., Rm. G-8
Los Angeles, CA 90012

☐ **Southern Division**
411 West Fourth St., Rm. 1-053
Santa Ana, CA 92701-4516

☐ **Eastern Division**
3470 Twelfth St., Rm. 134
Riverside, CA 92501

Failure to file at the proper location will result in your documents being returned to you.